

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-316-C - ORDER NO. 2004-644
DECEMBER 30, 2004

IN RE: Petition of BellSouth Telecommunications, Inc.) ORDER HOLDING
to Establish a Generic Docket to Consider) MATTERS IN
Amendments to Interconnection Agreements) ABEYANCE
Resulting form Changes of Law.)

This matter comes before the Public Service Commission of South Carolina (the Commission) for consideration of various motions of various parties in this Docket. Our Order No. 2004-591 established this docket and stated that evidentiary hearings would be scheduled in January in order to allow sufficient time for implementation of amendments to interconnection agreements resulting from changes of law. However, new information has now been made available to this Commission.

As pointed out by the Motion to Dismiss or Hold in Abeyance of KMC, Nuvox/NewSouth and Xspedius, it is expected that the Federal Communications Commission (FCC) will adopt new “final” unbundling rules sometime soon. It is not clear what legal requirements will be adopted or whether those requirements will be voluntarily translated into negotiated contract language or whether arbitration issues will result. As pointed out by these and other parties, expending resources in an attempt to resolve these issues now will be wasteful and inefficient until such time as “final” rules are adopted by the FCC. Accordingly, we grant the KMC-Nuvox/NewSouth/Xspedius Motion to hold this matter in abeyance until further notice.

Therefore, we hold in abeyance the Motion of AT&T and other parties to dismiss BellSouth's original Petition. We also hold in abeyance AT&T's Motion to schedule a pre-hearing status conference. Finally, we hold the scheduled hearing in this Docket in abeyance until further notice of this Commission. To the extent that similar relief was requested by other parties to this proceeding, said relief is granted.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)